

624

The State of Alabama,
Baldwin County.

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

To any Sheriff of the State of Alabama--GREETING :

WE COMMAND YOU, That you summon

E. H. Ewers,

of Gulfport Miss., ~~& County~~ to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Ada Thompson Ewers,

against said E. H. Ewers,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 11th day of

October, 1926.

T. W. Richerson Register.

N. B.— Any party defendant is entitled to a copy of the bill upon application to the Register.

Original

SERVE ON.....
Circuit Court of Baldwin County
In Equity.

No.

SUMMONS

Walter Thompson Ewins

vs.

E. H. Ewins

Richard Kirby, Rife & Hill
Solicitor for Complainant

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this
day of 192.....

Sheriff.

Executed this day of
192.....

by leaving a copy of the within Summons with

Defendant.

Sheriff.

By Deputy Sheriff.

Oct 11 1924
Copy of Bill &
Summons Reg -
Dept of Gulfport
Miss

Recorded in Vol. Page

The State of Alabama, } Circuit Court of Baldwin County, Alabama
 Baldwin County. } (In Equity.)

Ada Thompson Ewers, Complainant.

VS.

E. H. Ewers, Respondent.

I, T. W. Richerson,

as Register and Commissioner

have called and caused to come before me

.....

witnesses named in the Requirement for Oral Examination, on the 22th day of January

1926, at the office of Register,

in Bay Minette, Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said witnesses,

doth depose and say as follows:

Ada Thompson Ewers being duly sworn deposes and says as follows: My name is ..

Ada Thompson Ewers. I am a resident of Baldwin County, Alabama, and over the ..

age of twenty-one years. I have been a resident of Baldwin County for all of ..

my life which is more than three years next preceding the filing of this bill. ..

The Respondent, E. H. Ewers, is over the age of twenty-one years and when last ..

heard from was a resident of Gulfport, Mississippi. The Complainant, Ada

Thompson Ewers and the Respondent, E. H. Ewers, are husband and wife having ...

intermarried at Bay Minette, Alabama, on or about the 15th day of February, 1926. ..

That we lived together as man and wife in Bay Minette, Alabama, until on or about ..

to-wit, April 25th, 1926. The Respondent, E. H. Ewers, is a man of brutal temper- ..

ment. Shortly after our marriage and without any cause whatever on my part, he ..

from time to time cursed and abused me, calling me vile names and on one or two ..

occasions threatened to kill me. The Respondent was so disagreeable that it was ..

impossible for me to live with him. His conduct was such as to cause me to ..

have reasonable apprehension to believe, and I did believe that he would do ..

violence to my person and that he would execute the threats he had made and ..

either kill me or do me bodily injury dangerous to my life and health, should ..

I continue to live with him. During the time we lived together the Respondent ..

refused to supply me with ~~his~~ food, clothing or any of the necessities of life. ..

ORAL EXAMINATION.

I, T.W. Richerson, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness ES and read over to them and they signed the same in the presence of myself and Hon. H.M. Hall, Atty for Complainant, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness ES or had proof made before me of the identity of said witness ES; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 22nd day of January 1927

T.W. Richerson (L. S.)

NO. 624.

PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Ada Thompson Ewers,

vs. Complainant

E. H. Ewers,

Respondent.

Oral Deposition

Filed

1927

T.W. Richerson
Register.

Recorded in

Record

Vol.

Page

Register

D. R. Cattrett a witness for the Complainant being duly sworn deposes and says as follows: My name is D. R. Cattrett. I am a resident of Baldwin County, Alabama and over the age of twenty-one years. I am personally acquainted with the Complainant, Ada Thompson Ewers, having known her all of her life. She has lived in Baldwin County all of her life. I remember the time when Ada Thompson Ewers, the Complainant, and E. H. Ewers, the Respondent, were married at Bay Minette, some time during February, 1926. The Complainant and Respondent lived together as man and wife in Bay Minette, Alabama, from the time they were married until on or about some time in the month of April, 1926, when the said E. W. Ewers went away. During the time the Complainant and Respondent lived together as man and wife I boarded with them from about the first of March until after the Respondent went away. During the time I boarded with them I often times heard the Respondent curse and abuse the Complainant and call her vile names; ~~and several times~~ the Respondent was so disagreeable and fussy it was almost impossible for the Complainant to live with him. ~~From the conduct of the Respondent~~ The conduct of the Respondent was such as to cause the Complainant and other around to have reasonable apprehension to believe that the Respondent would do violence to the person of the Complainant and either kill her or do her bodily injury dangerous to her life or health should she continue to live with him. During the time I boarded with the Complainant and Respondent, the Respondent refused to supply the Complainant with the necessities of life and would not allow the Complainant to attend church or to visit her relatives. During the time I boarded with them at no time did the Complainant so far as I know give the Respondent any cause for treating her as he did and so far as I know the acts of the Respondent were without cause whatever on the part of the Complainant.

D. R. Cattrett

He would not allow me to attend church and every time I mentioned going to church he would refuse and abuse me. He would not allow me to visit my relatives and especially on one occasion when one of my sisters was in bed in a serious condition caused by an attack of pneumonia. The Respondent absolutely refused to let me go around her. During the whole time we lived together as man and wife I tried every way in my power to get along with him and tried to live with him but his conduct was such as to make it absolutely impossible.

Ada Thompson Gibson

The State of Alabama, }
Baldwin County.

No. 624. CIRCUIT COURT, IN EQUITY

Ada Thompson Ewers, Complainant

vs.

E.H. Ewers, Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and, upon consideration thereof, the Court is of opinion that the Complainant is entitled to the relief prayed for in said bill.

IT IS, THEREFORE, Ordered, adjudged and decreed by the Court, that the bonds of matrimony heretofore existing between the Complainant and Defendant be, and the same are hereby dissolved, and the Complainant is forever divorced from the Defendant.

On account of cruelty,

It is further ordered, that the said Ada Thompson Ewers, be, and she is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Ada Thompson Ewers, pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said E.H. Ewers,

It is further ordered, adjudged and decreed that said Ada Thompson Ewers, shall not again marry except to said E.H. Ewers, until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said E.H. Ewers, during the pendency of said appeal

This 7th day of February 1927
John D. Leigh
Judge of the Circuit Court of Baldwin County.

THE STATE OF ALABAMA, }
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

I, _____ Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the _____ day of _____ 192____, in the cause of _____ Complainant

vs.

_____ Defendant
as appears of record in said Court.

Witness my hand and the seal of said Court, this the _____ day of _____ 192____

Register.

No. 624.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.
BALDWIN COUNTY, ALA.

Ada Thompson Ewers,

vs.

E. H. Ewers,

DECREE OF DIVORCE.

Filed in office this

14th

day of

Feb

, 1927

D. W. Mc...

Register.

E. O. M.

11
1100

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 624

November 19 1926

Ada Thompson Ewers, Complainant

vs.

E. H. Ewers, Defendant

To T. W. Richerson, Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Hon. H. M. Hall,

Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

x

Solicitor for Complainant.

8581 NOTE OF TESTIMONY

Ada Thompson Ewers,

vs.

E. H. Ewers,

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, decree pro confesso upon service by Reg mail and testimony of

D. N. Cabrell & Ada Thompson Ewers,

and in behalf of Defendant upon

Register.

6

No. 624 Page

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

Ada Thompson Ewers,

vs.

E. H. Ewers,

REQUEST FOR DECREE IN
VACATION

FILED *Jan 22* 1927

T W Richman
Register

RECORDED

RECORDED IN RECORD

VOL. PAGE

Register

No. 624

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Ada Thompson Ewers,

vs

E. H. Ewers,

NOTE OF TESTIMONY

Filed in Open Court this *22nd*
day of *January*, 1927

T W Richman
Register

Ada Thompson Ewers,

vs.

E.H.Ewers,

CIRCUIT COURT OF
Baldwin County.

IN EQUITY.

In this cause it being made to appear to the Register that on the 10th day of October, 1926, a copy of the Bill of Complaint filed in this cause was sent to E.H.Ewers, Gulfport, Miss.

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," and return receipt demanded addressed to the Register of this Court; and that on the 14th day of November, 1926, such receipt was duly received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered, adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all things taken as confessed against the said E.H.Ewers,

Defendant.

This the 15th day of November, 1926

D.W. Richardson, Register.

4

No. 624.

CIRCUIT COURT OF BALDWIN
COUNTY, ALA.

In Equity.

Ada Thompson Ewers,

vs.

E. H. Ewers,

Decree Pro Confesso After
Notice By Registered Mail.

RECORDED

Filed in office this 15th day of

November, 1926

D. W. Peterson Register

Entered in O. B. Page



2

No.

CIRCUIT COURT OF
BALDWIN COUNTY,
IN EQUITY.

Luz Thompson Ewers

vs.

E H Ewers

RECORDED

RECORDED

CERTIFICATE OF REGISTER AS TO NOTICE
BY REGISTERED MAIL.

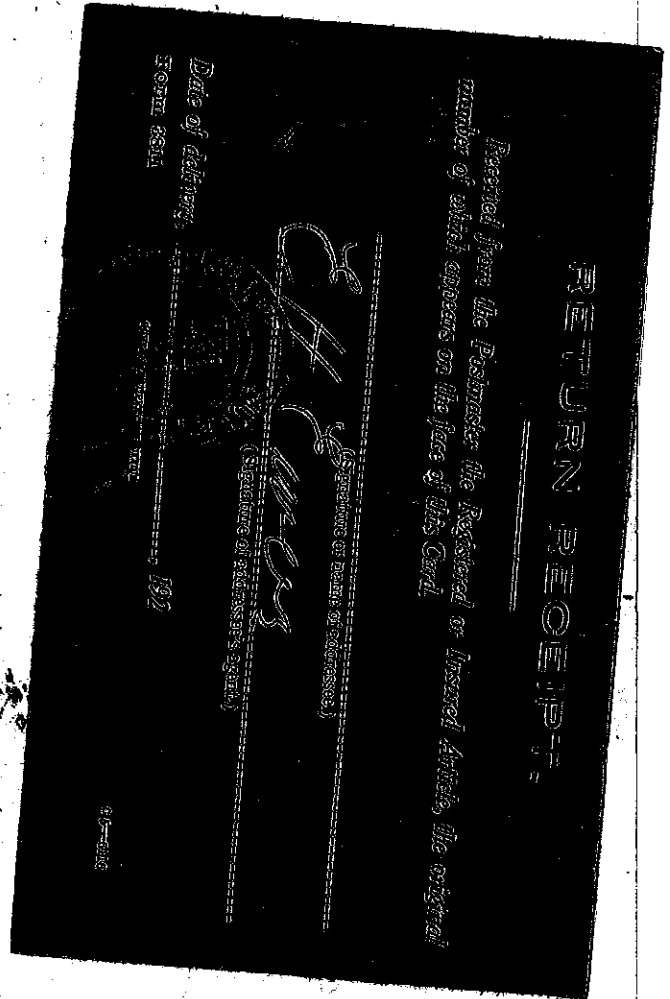
Filed in office on this

day of

Oct 192*9*

D. M. Williams

Register.



Luz Thompson Ewers

CIRCUIT COURT OF

Baldwin COUNTY.

IN EQUITY.

E. H. Ewers

I, *T. W. Rice*, Register of said Court, do hereby certify that I

did, on the *10* day of *Oct* 192*6*, send to

E. H. Ewers Defendant.

whose address was

Greensport Miss

by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," a copy of the Bill

of Complaint filed in this cause; that I demanded a return receipt addressed to the Register of this Court; and that such

receipt was duly received and filed by me in this cause, on the *14* day of *Oct* 192*6*

Witness my hand, this *14* day of *Oct* 192*6*

Acts 1915, Page 604.

T. W. Rice
Register.

8601 Motion for Decree Pro Confesso on ~~Publication~~ Service by Reg Mail

The State of Alabama,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 624 Vacation Term, 192*6*

Ada Thompson Ewers.

Complainants

vs.

E. H. Ewers,

Defendants

Motion is hereby made for a Decree Pro Confesso against

E. H. Ewers,

Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of ~~publication~~ ^{service} by reg mail was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This *15th* day of *November* 192*6*

746 Code.

H. M. Hall,

Solicitor.

3

No. 624.

Page

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Ada Thompson Ewers,

Complainants.

Vs.

E. H. Ewers,

Defendants.

MOTION FOR DECREE PRO
CONFESSO ON ~~CONFESSO~~
Received by Reg. - mail

Filed Nov 15th 1926

T. W. Richardson

Register.

Recorded in **RECORDED** Record.

Vol. Page

Register.

TO HONORABLE JOHN D. LEIGH, JUDGE OF THE CIRCUIT
COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY.

Comes your Complainant, Ada Thompson Ewers, and
humbly complaining against E. H. Ewers, respectfully shows unto your
Honor as follows:

1. That your Complainant is a resident of Baldwin
County, Alabama, and has been for more than three years next preceding
the filing of this bill and that she is over the age of twenty-one
years; that the Respondent is over the age of twenty-one years and is
a resident of Gulfport, Mississippi.

2. That your Complainant and the Respondent are
wife and husband, having inter-married at Bay Minette, Alabama, on the
15th day of February, 1926; that they lived together as man and wife,
in Baldwin County, Alabama, until on or about, to-wit: April 25, 1926.

3. That the Respondent, E. H. Ewers, is a man of
brutal temperament; that shortly after their marriage, and without fault
on the part of the Complainant, he from time to time cursed and abused
the Complainant, calling her vile names and on several occasions threat-
ened to kill her; that he was so disagreeable that it was impossible
for the Complainant to live with him; that from his conduct as afore-
said, the Complainant has reasonable apprehension to believe and does
believe that he will do violence to her person and that he will execute
such threat and either kill her or do her bodily injury dangerous to
her life or health should she continue to live with him; that during
their whole married life the Respondent refused to supply the Complainant
with the necessities of life and would not allow the Complainant to
attend church or to visit her relatives.

PRAYER.

The premises considered your Complainant prays that
a summons be issued, directed to the said E. H. Ewers, requiring him
to appear, answer or demur to your Complainant's bill of complaint within

the time required by law and the practice of this Honorable court; and that upon the final hearing of said cause your Honor will grant to your Complainant a decree of absolute divorce from the said E. H. Ewers and that such other, further or different relief may be granted to your Complainant as your Honor may deem fit and proper.

X Ada Thompson Ewers
Russell Beebe Neal
As Solicitors for Complainant.

FOOT NOTE

The Respondent, E. H. Ewers, is required to answer each paragraph of the foregoing bill, numbered 1 to 10, inclusive, but not under oath, oath being hereby expressly waived.

X Ada Thompson Ewers
Russell Beebe Neal
As Solicitors for Complainant.